REPORT

OF THE

CALCUTTA COURT OF SMALL CAUSES

FOR THE YEAR 1880.

Calcutta:

PRINTED AT THE BENGAL SECRETARIAT PRESS.

1881.

No. 32.

FROM

THE JUDGES, CALCUTTA COURT OF SMALL CAUSES,

To

THE SECRETARY TO THE GOVERNMENT OF BENGAL,
JUDICIAL DEPARTMENT.

Fort William, 1st March 1881.

SIR,

WE have the honor to forward for the information of His Honor the Lieutenant-Governor of Bengal the annual report of the business of this Court for the year 1880.

2. By a letter, No. 1868, dated the 7th April 1880, from the Under-Secretary to the Government of Bengal to the First Judge, he was informed "that duplicates of the returns prescribed by the High Court may be substituted for the returns" hitherto appended to the Small Cause Court's Annual Report to Government.

3. The returns sent, therefore, are the returns supplied to the High Court so far as the judicial working of the Court is concerned, and a few other financial returns, which have hitherto always been forwarded to the Government of Bengal.

4. We also forward a copy of our report to the High Court, which, together with the returns, we trust may be considered sufficient to show the judicial working of the Court.

5. We have little to say as to the financial working of the Court, except that it is satisfactory. The balance to the credit of the Court is Rs. 71,906-3-8, as against Rs. 73,618-14-6 last year.

6. There is some decrease, viz. Rs. 11,336-1-3, in the amount of the distraints under the Distress Act, 1875. There were 102 distraints last year, as against 353 in the year 1879. This we take to be a good sign, showing that landlords have not been obliged to have recourse to the more violent remedy allowed by the law for the purpose of obtaining their rent.

7. With reference to the proposed extension of the jurisdiction of the Court, we wish to state that a larger building will be necessary for the purpose of carrying on the business of an increased jurisdiction. Our report to the High Court shows that we are already being pressed for room for the proper preservation of records, and it would be advisable to make an addition to the present Court building, between the west end of the same and the premises known as the Ice House.

We have the honor to be,

SIR,

Your most obedient servants,

H. MILLETT,
KOONJO LALL BANERJEA,
R. S. T. MACEWEN,
G. C. SCONCE,
} *Judges.*

No. 20, dated Fort William, the 15th February 1881.

From—The Judges, Calcutta Court of Small Causes,
To—The Registrar, High Court, Appellate Jurisdiction.

In accordance with the High Court Circular No. 29, dated 21st August 1879, we have the honor to submit herewith this our first report to the Honorable Judges of the High Court of the working of this Court during the year 1880; and in doing this, we regret that the annual statements are not in their entirety, such as those asked for by the High Court. It was not till April last that we became finally aware that we were to make one set of returns only, viz. to the High Court instead of to the local Government, the result being that we have been forced to compile the returns now sent from registers kept up in accordance with the old practice rather than to meet the forms now required. As an instance, the present annual statements 2 (civil) can only be filled up showing the suits which have been *disposed of, not instituted.* In order to provide for the statement of the suits instituted, the work has had to be transferred from the clerks of the various Benches to the Summons Department of the Court. Next year we trust that matters may be in better order, as registers are now being kept to suit the returns asked for. This has necessitated some reorganization of the work performed by the various officers of the Court, and we think that a slight increase of establishment may yet have to be asked for to perform the work.

2. The number of suits instituted during the year was 35,304, as against 37,199 instituted in the year 1879; and the following comparative table shows the increase and decrease of institutions during the year:—

The Value of Suits.	1879.	1880.	Increase.	Decrease.
Up to Rs. 10	15,476	14,449	... ...	1,027
" 50	14,633	13,990	.....	643
" 100	3,150	3,001	.....	149
" 500	3,266	3,158	.....	108
" 1,000	604	641	37	.....
Over Rs. 1,000	70	65	.....	5
Total	37,199	35,304	37	1,932
Deduct increase	.....	.....	.....	37
Total decrease	.....	.....	.....	1,895

The decrease in the number of suits instituted is 1,895; and though this decrease may seem large, we find the year was much above the average, the two previous years having been extraordinarily heavy years: indeed the year 1878-79, in which 37,681 suits were instituted, was the largest on record. We do not look upon the difference as anything more than an ordinary fluctuation, for we cannot attribute it to any particular phase of litigation.

3. The disposal of cases set down for hearing is exhibited thus:—

Pending in 1879	1,584
Instituted in 1880	35,304
	36,888
Decreed in favour of plaintiff after contest	5,441
Ditto without ditto	10,266
Dismissed after trial	1,304
Non-suited or withdrawn	2,444
Compromised	13,062
Struck off for default of plaintiff	3,083
Pending at the close of the year	1,288
	36,888

The cases set down as struck off also include a number of cases really compromised but which the parties did not report to the Court.

4. The miscellaneous cases of the present year include only commissions to examine witnesses and distraint cases, no register having been kept of other miscellaneous causes. Another year this, we trust, will be remedied.

5. We now propose to report on certain matters which are specially asked for by the High Court.

Condition of judicial buildings.

The court-house is under the charge of the Public Works Department, and is in a good state of repair. It was white-washed and generally put in order during last Doorga Puja holidays, and the punctuality with which this work was accomplished reflects great credit on the Executive Engineer, as the repairs did not for one minute interfere with the working of the Court.

The state of the record-room.

We have inspected the record-room of the Court, or rather we may say a number of rooms in which the records are kept. We find as regards recent records they are in fair order, and that the record-keeper has no difficulty in laying his hand on any record filed within the last five years. The records are not kept in one room only, but in four or five rooms of different sizes, and even in a verandah; while within the last two or three months we have been constrained to utilize the library partly for that purpose. It is calculated that the bound books containing the records of judgment and proceedings in Court previous thereto increase at the rate of one hundred volumes yearly, and this exclusive of exhibits, applications for subpœnas, and such like extraneous records, which find no place in the actual records of the case itself. The only large room that might possibly be utilized as a record-room is the library; but in the event of another Judge being appointed to the Court, it would be required as a court-room. Some portion of the out-buildings will probably have to be set apart and partitioned off for the custody of the older records. At the same time, the Act providing for the destruction of useless records has been of great benefit. A number of old and useless exhibits (not being documents of title) have already been destroyed, and the work of destruction will proceed among the books containing applications for subpœnas ten years old. This together with hanging-shelves, which we propose to obtain, will enable the records to be kept in the present rooms and in the present state until we see what changes any new Act dealing with the Court may entail.

Condition of the library.

The library is under the charge of a librarian, and is in good order and condition. As this is our first report, we may mention for the information of the Honorable Judges of the High Court that the local Government allow us Rs. 200 per annum for the purchase of law-books, the English Law Reports and *Fisher's Digest* being supplied on indent.

Effect of recent legislation on the working of the Court.

We think the extension of the Legal Practitioners' Act, 1879, has been productive of some good. It would be impossible to say that the evil of suit-brokering by unauthorized practitioners has been suppressed, but we hope it has been lessened. A well-known person of this class, named Sittaram, who had an office close to the Court, and who, though not attending personally, employed a sircar to do his work for him in the court premises, was fined by the First Judge in August last.

6. By some omission in the office the number of cases standing postponed for more than three months (*vide* letter of Registrar of High Court to the First Judge, No. 20, dated 21st February 1880) was not taken at the end of the year, as it ought to have been. As it is not possible to find out this now except at the expense of great labour, it has not been furnished this year, but it will be so in future.

7. Rs. 71,908 was carried to the credit of the Court at the end of the year, after deducting all charges and expenses.

8. Mr. J. V. Woodman acted as a Judge of the Court until the 29th of October, when Mr. G. C. Sconce returned from furlough. Mr. Douglas White has officiated as 5th Judge and Clerk of the Court during the whole year.

ANNUAL STATEMENT 1 (CIVIL).

FOR THE JUDGESHIP OF THE CALCUTTA COURT OF SMALL CAUSES FOR THE YEAR 1880.

PART I.—*List of Judicial Divisions, with area and population.*

1.	Name of Judgeship	Calcutta Court of Small Causes.
2.	Name of Collectorate	Calcutta.
3.	Names of Moonsifees	None.
4.	Area in square miles	Unknown.
5.	Population	Ditto.

PART II.—*Return showing the total number of Judicial and Revenue Officers exercising jurisdiction in Civil and Revenue cases at the close of the year, their class, and powers. Also the number of working days that officers of each class employed in the district during any part of the year were engaged in each department.*

DISTRICT CALCUTTA.

Small Cause Court Judges—	
2. Exercising civil powers only	5
Total number of working days employed—	
6. On Civil work	267

PART III.—*Statement showing the Receipts and Charges of the several grades of Civil Courts and the proportion of the salary of Judicial Officers debitable to Civil Justice in* 1880.

COURTS AT THE PRESIDENCY.

PRESIDENCY SMALL CAUSE COURT.

	Rs.
Receipts—	
In Small Cause Court stamps—	
2. Process fees	2,76,249
3. Other fees	347
In cash—	
4. Fines	178
5. Other receipts credited to Government	2,864
6. Total	2,79,638
Charges—	
Salaries of Judicial Officers—	
7. Gross	76,067
8. Share debitable to Civil Justice	76,067
Establishment—	
9. Process-servers	5,989
10. Others	77,227
11. Contingencies	1,460
12. Refunds	46,987
13. Total of columns 8 to 12	2,07,730

14. Remarks—

Column 12, Refunds, means—

(1) The refund of half costs to the parties under section 20 of Act IX of 1850 in compromised cases, &c.

(2) Commission allowed to bailiffs on the execution of writs under orders of Government No. 2443, dated 27th April 1868.

(3) Refunds of fines by order of the Judges.

CALCUTTA SMALL CAUSE COURT,
The 15th February 1881.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

ANNUAL STATEMENT 2 (CIVIL).

Statement showing the number and description of civil suits disposed of in the Civil and Revenue Courts in the year 1880.

COURTS AT THE PRESIDENCY.

PRESIDENCY SMALL CAUSE COURT.

Suits for money or movable property—		
2.	Contract in writing	4,795
3.	Contract not in writing	3,976
4.	On account stated	782
6.	Goods sold	13,814
7.	Wages, work, and materials	4,709
9.	Rent not falling under the Rent Law	3,727
11.	Damages	1,249
12.	Total	33,052
Suits under the Rent Law—		
15.	Relating to distraint	6
18.	For ejectment or recovery of possession	256
21.	Total	262
Title and other suits—		
33.	Suits relating to shipping	84
36.	Interpleader suits	366
39.	Other suits not falling under any of the previous heads	1,836
40.	Total	2,286
41.	Grand Total	35,600

CALCUTTA SMALL CAUSE COURT,
The 15*th February* 1881.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

ANNUAL STATEMENT 3 (CIVIL).

Statement showing number and value of suits instituted in the Civil and Revenue Courts in the year 1880.

COURTS AT THE PRESIDENCY.

PRESIDENCY SMALL CAUSE COURT.

Number of suits instituted in the different Courts—			
Value not exceeding Rs. 10—			
3.	Suits under the Rent Law	14,449	
Value not exceeding Rs 50—			
6.	Suits under the Rent Law	13,990	
Value not exceeding Rs. 100—			
9.	Suits under the Rent Law	3,001	
Value not exceeding Rs. 500—			
12	Suits under the Rent Law	3,158	
14.	Value not exceeding Rs. 1,000	641	
15.	Ditto ditto Rs. 5,000	65	
20.	Total	35,304	
21.	Total value of suits, Rs.	17,70,036	2 6½

CALCUTTA SMALL CAUSE COURT,
The 15*th February* 1881.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

ANNUAL STATEMENT 4 (CIVIL).

PART I.—CIVIL SUITS.—*Statement showing the general result of the trial of Civil and Revenue cases in the Courts of Original Jurisdiction in the year* 1880.

COURTS AT THE PRESIDENCY.

PRESIDENCY SMALL CAUSE COURT.

Number of suits before the Courts—	
2. Pending from last year	1,584
3. Instituted in 1880	35,304
8. Total for disposal	36,888
Number of suits disposed of—	
Without trial—	
11. Dismissed for default or want of prosecution	3,083
12. Withdrawn with leave	2,444
Without contest—	
13. Compromised	13,062
14. Decreed on confession	2,592
15. Decreed *ex parte*	7,674
16. Dismissed „	9
On reference to arbitration—	
17. For plaintiff	541
18. For defendant	115
With contest—	
19. Judgment for plaintiff in whole or part	4,900
20. Judgment for defendant	1,180
21. Total disposed of, omitting transfers	35,600
22. Pending at close of year	1,288
Average duration of suits—	
Contested—	
23. Number of cases (columns 17 to 20)	6,736
Uncontested—	
26. Number of cases (columns 10 to 16)	28,864

Cases entered in column 12 are really cases nonsuited under section 53 of Act IX of 1850.

CALCUTTA SMALL CAUSE COURT,
The 15*th February* 1881.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

PART II.—MISCELLANEOUS CASES (JUDICIAL).—*Statement showing the general result of the trial of Civil and Revenue cases in the Courts of Original Jurisdictions in the year* 1880.

COURTS AT THE PRESIDENCY.

PRESIDENCY SMALL CAUSE COURT.

3. Instituted in 1880	157
Disposed of—	
Without contest—	
15. Decreed *ex parte*	100
With contest—	
19. Judgment for plaintiff in whole or part	1
20. Judgment for defendant	1
21. Total of columns 10 to 20, *i.e.* disposed of, omitting transfers ...	102

Remarks—

Miscellaneous cases include only commissions received and executed by the Court as coming from other Courts; and distraint cases (not being interpleader claims) under the Distress Act, 1857. In the latter class of cases, for the purposes of this statement, landlords are considered plaintiffs and tenants as defendants.

The total of 102 in column 21 relates to distraint cases only; commissions executed cannot be included under those heads.

Commissions	55
Distraint cases	102
Total ...	157

CALCUTTA SMALL CAUSE COURT,
The 15*th February* 1881.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

ANNUAL STATEMENT 6 (CIVIL).

Statement showing the result of proceedings on applications for the execution of the decrees of the Civil and Revenue Courts in the year 1880.

COURTS AT THE PRESIDENCY.

PRESIDENCY SMALL CAUSE COURT.

Number of applications dealt with—

Filed—

3. The decrees being those of the Court where execution is taken out	15,072
4. The decrees being those of other Courts transferred for execution	125
6. Total	15,197

Applications disposed of—

Transferred—

7. To another Court under section 223	433
9. Wholly or partly satisfied	11,377
10. Wholly infructuous	3,221
11. Total	15,031
12 Pending at the end of 1880	166

Details of entries in column 9—

13. Satisfaction obtained in full	6,381
14. Satisfaction obtained in part	4,996
15. Satisfaction obtained through the Court	9,314
16. Adjusted under section 258	2,063
17. Satisfaction obtained with the issue of process	6,200
18. Satisfaction without the issue of process	5,177

Amount realized—

	Rs.	A.	P.
19. With the issue of process	1,57,996	2	3
20. Without the issue of process	1,89,116	3	6

Number of Applications—

21. On which the judgment-debtor was imprisoned ...	481
22. On which he was arrested under section 336, but released without imprisonment	466

On which his movable property—

23 Was sold	676
24 Was attached, but subsequently released under section 275 ...	1,425

On which possession was given—

30. Of immovables, sections 263 and 264	67

Remarks—

Note the number of entries in columns 4 and 7 where the decrees have been transferred from or to another province.

Column 7 blank, *i.e.* no decree of this Court was sent for execution to another province. Details of column 4.

The number of decrees that were sent to this Court for execution from another province.

North-West Provinces	4
Bombay	5
Punjab	1
Assam	2
Oudh	2
Madras	1
Total ...	15

CALCUTTA SMALL CAUSE COURT,
The 15*th February* 1881.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

No. 1.

Comparative statement of Commission and Fees realized and credited to Government in 1879 *and in* 1880.

Months.	1879. On account of fees received in the institution and prosecution of suits, and on account of distresses for rent.	Months.	1880. On account of fees received in the institution and prosecution of suits, and on account of distresses for rent.	Total increase of fees in 1880.	Total decrease of fees in 1880.	Remarks.
1879.	Rs. A. P.	1880.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
January	24,012 5 9	January	25,763 2 9	1,750 13 0	.....	
February	21,521 9 9	February	20,469 3 3	.....	1,052 6 6	
March	22,642 0 9	March	24,876 2 3	2,234 1 6	.....	
April	19,523 10 0	April	22,815 11 9	3,292 1 9	.....	
May	20,341 9 0	May	16,823 8 9	.....	3,518 0 3	
June	20,765 7 9	June	19,073 6 9	.....	1,692 1 0	
July	25,713 9 0	July	22,795 5 9	.....	2,918 3 3	
August	21,936 7 3	August	24,365 10 3	2,429 3 0	.....	
September	24,171 6 3	September	24,874 9 9	703 3 6	.....	
October	10,194 14 3	October	537 12 0	.....	9,657 2 3	
November	10,364 0 9	November	18,048 6 6	7,684 5 9	.....	
December	15,210 4 3	December	12,978 12 9	.....	2,231 7 6	
Total ...	2,36,397 4 9	Total ...	2,33,421 12 6	18,093 12 6	21,069 4 9	
		Deduct increase ...	.....	.....	18,093 12 6	
		Net decrease ...	.....	.....	2,975 8 3,	or a decrease of more than one per cent. over the receipts of last year.

CALCUTTA SMALL CAUSE COURT,
The 1*st March* 1881.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

No. 2.

Abstract Statement of sums received and paid out to Suitors and others from 1*st January* 1880 *to* 31*st December* 1880.

1880			Rs.	A.	P.	1880.			Rs.	A.	P.
To cash received on account of suitors, &c., in		Jan.	32,552	0	0	By cash paid out to suitors, &c., in		Jan.	32,058	12	1
Ditto	ditto	Feb.	28,337	7	0	Ditto	ditto	Feb.	25,307	6	0
Ditto	ditto	Mar	29,572	12	0	Ditto	ditto	Mar.	35,833	4	5
Ditto	ditto	April	34,952	1	1	Ditto	ditto	April	31,824	0	7
Ditto	ditto	May	28,818	13	6	Ditto	ditto	May	28,188	3	6
Ditto	ditto	June	27,407	5	10	Ditto	ditto	June	27,656	8	9
Ditto	ditto	July	32,300	12	0	Ditto	ditto	July	29,051	14	10
Ditto	ditto	Aug.	26,106	13	7	Ditto	ditto	Aug.	29,770	12	7
Ditto	ditto	Sept.	35,022	1	1	Ditto	ditto	Sept.	36,886	14	6
Ditto	ditto	Oct.	11 886	8	8	Ditto	ditto	Oct.	12,199	0	8
Ditto	ditto	Nov.	22,751	5	1	Ditto	ditto	Nov.	23,195	12	7
Ditto	ditto	Dec.	30,730	11	2	Ditto	ditto	Dec.	26,192	12	10
Total ...			3,40,433	11	0	Total ...			3,37,665	7	4

CALCUTTA SMALL CAUSE COURT,
The 1*st March* 1881.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

No. 3.

Statement showing the statistics of the Distraint Department from 1*st January* 1880 *to* 31*st December* 1880.

Months.	Amount of rent for which distresses were made.	Commission and fees deposited.
1880.	Rs. A. P.	Rs. A. P.
January	1,806 4 3	250 0 0
February	1,861 2 6	255 8 0
March	1,720 14 6	246 4 0
April	728 14 0	112 0 0
May	485 7 0	73 0 0
June	402 0 0	65 12 0
July	859 4 3	130 4 0
August	634 4 9	93 4 0
September	2,976 0 0	404 12 0
October	271 0 0	41 8 0
November	1,727 10 6	221 8 0
December	362 0 0	55 0 0
Total ...	13,834 13 9	1,948 12 0

CALCUTTA SMALL CAUSE COURT,
The 1*st March* 1881.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

No. 4.

Statement showing the amount of Fines from 1st January 1880 to 31st December 1880.

1880. Months.	Amount. Rs. A. P.	1880. Months.	Amount. Rs. A. P.
January	.....	Brought forward	121 0 0
February	.....	August	54 0 0
March	.....	September	3 0 0
April	70 0 0	October	.....
May	.....	November	.....
June	50 0 0	December	.....
July	1 0 0		
Carried forward	121 0 0	Total	178 0 0

CALCUTTA SMALL CAUSE COURT,
The 1st March 1881.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

No. 5.

Statement showing the Salaries of the Judges, Cost of the Establishment, Contingent and other Charges, from 1st January 1880 to 31st December 1880.

MONTHS.	Salaries of Judges.	Establishment charges.	Commission allowed to bailiffs.	Contingent charges.	TOTAL.
1880.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
January	6,250 0 0	6,956 8 0	265 4 0	158 3 3	13,629 15 3
February	6,317 11 10	6,831 10 9	294 0 0	37 3 0	13,480 9 7
March	6,350 0 0	6,846 14 6	311 0 0	54 9 0	13,562 7 6
April	6,350 0 0	7,282 13 3	368 0 0	69 11 9	14,070 9 0
May	6,350 0 0	6,988 5 0	361 12 0	97 7 6	13,797 8 6
June	6,350 0 0	6,960 2 6	318 6 0	145 8 3	13,774 0 9
July	6,350 0 0	6,956 11 2	382 10 0	279 5 9	13,918 10 11
August	6,350 0 0	6,955 10 6	333 10 0	144 6 3	13,783 10 9
September	6,350 0 0	6,961 13 9	326 8 0	141 6 9	13,779 12 6
October	6,350 0 0	6,940 2 9	412 4 0	151 11 3	13,854 2 0
November	6,350 0 0	6,752 8 0	258 6 0	121 3 9	13,482 1 9
December	6,350 0 0	6,803 12 0	206 4 0	59 8 6	13,419 8 6
Total	76,067 11 10	83,217 0 2	3,788 0 0	1,460 5 0	1,64,533 1 0

CALCUTTA SMALL CAUSE COURT,
The 1st March 1881.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

No. 6.

Statement showing the net amount credited to Government from 1st January 1880 to 31st December 1880.

MONTHS.	Commission and fees paid in stamps.	Fines.	Unclaimed suitors' money.	Savings and refunded charges.	Total amount credited.	REMARKS.
1880.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
January	25,763 2 9	.....	.....	.....	25,763 2 9	
February	20,469 3 3	.....	.....	.....	20,469 3 3	
March	24,876 2 3	.....	702 13 11	.....	25,579 0 2	
April	22,816 11 9	70 0 0	171 5 0	.....	23,057 0 9	
May	16,823 8 9	.....	217 15 6	.....	17,041 8 3	
June	19,073 6 9	50 0 0	281 9 9	.....	19,405 0 6	
July	22,795 5 9	1 0 0	*288 6 0	13* 0 0	23,097 11 9	* Sale proceeds of old chairs.
August	24,365 10 3	54 0 0	305 9 0	.....	24,725 3 3	
September	24,874 9 9	3 0 0	417 9 3	.....	25,295 3 0	
October	537 12 0	.....	151 14 6	.....	689 10 6	
November	18,048 6 6	.....	170 7 6	.....	18,218 14 0	
December	12,978 12 9	.....	143 13 9	.....	13,122 10 6	
Total	2,33,421 12 6	178 0 0	2,851 8 2	13 0 0	2,36,464 4 8	
			Deduct refund of fines ...		25 0 0	
			Net receipts		2,36,439 4 8	

CALCUTTA SMALL CAUSE COURT,
The 1st March 1881.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

No. 7.

Statement of Indigent Debtors relieved from 1*st January* 1880 *to* 31*st December* 1880, *prepared in conformity with Mr. Eden's letter No.* 873 *T, dated* 1*st October* 1863.

Date and Month.	Names of parties relieved.	Amount paid.
1880.		Rs. A. P.
10th March	Mrs. E. Thomas	16 6 0
20th „	A. S. Field and Mrs. M. Field	10 0 0
16th April	Mrs. C. M. Ford	23 0 0
16th June	P. Fenwick	5 0 0
16th „	S. A. Twidale and Mrs. P. Fenwick	10 0 0
2nd July	Woodo Bewah	8 10 0
15th „	S. A. Twidale	10 0 0
15th „	P. Fenwick	5 0 0
19th „	L. C. Rogers	10 0 0
20th August	P. Fenwick	5 0 0
15th September	E. A. Gomes	3 0 0
23rd „	C. Silva	41 1 0
18th November	E. A. Gomes	6 0 0
	Total ...	148 1 0

Calcutta Small Cause Court,
The 1*st March* 1881.

Thomas Jones,
Offg. Fifth Judge and Clerk of the Court.

No. 8.

Statement showing the number of Mofussil processes received for service from 1*st January* 1880 *to* 31*st December* 1880.

Months.	Number of processes received.	Number in which costs were paid.	Number in hand at the close of the year.	Amount of costs paid in stamps.
1880.				Rs. A. P.
January	259	226	.....	601 14 0
February	196	154	.....	470 14 0
March	223	170	.....	539 4 0
April	222	148	.....	468 12 0
May	330	226	.....	678 10 0
June	234	206	.....	641 6 0
July	252	184	.....	651 4 0
August	231	181	.....	573 8 0
September	228	166	.....	571 8 0
October	38	18	.....	64 8 0
November	153	123	.....	432 10 0
December	111	103	.....	323 0 0
Total ...	2,477	1,905	18	6,017 2 0

Calcutta Small Cause Court,
The 1*st March* 1881.

Thomas Jones,
Offg. Fifth Judge and Clerk of the Court.

W. H. D'C.—Reg. No. 13171J—240—15-3-81.

RESOLUTION.

JUDICIAL.

Dated Darjeeling, the 27th April 1881.

READ—

The Report on the Calcutta Court of Small Causes for the year 1880

THIS is the second report which has been prepared for the calendar, instead of for the official, year. The present report differs from that for the year 1879 in the nature and form of the judicial returns appended to it, which have been altered at the request of the High Court, in order to admit of the incorporation of the information contained in the Small Cause Court Report with the Report of the High Court on the administration of Civil Justice. In consequence of the change in the form of the returns, the figures for 1879 and 1880 do not in all instances admit of comparison.

2. There was a considerable decrease in the number of suits instituted during the year, as compared with the figures for 1878-79 and for 1879, as shown below:—

1878 79.	1879.	1880.
37,681	37,199	35,304

There was an increase of 37 in the number of suits between Rs. 500 and Rs. 1,000 in value, while the decrease in the number of suits of other values amounted to 1,932, the net decrease being 1,895. The principal decrease was in suits not exceeding Rs. 10 and in those between Rs. 10 and Rs. 50 in value, the falling off in these two classes being 1,027 and 643 respectively. The Judges remark that, although the decrease was large, yet the number of suits instituted during the year was much above the average, the two previous years having been extraordinarily heavy, the number of suits instituted during the year 1878-79, viz. 37,681, being the largest on record. The decrease was general, and the Judges remark, "We do not look upon the difference as anything more than an ordinary fluctuation, for we are unable to attribute it to any particular phase of litigation" The total value of the suits instituted during the year was Rs. 17,70,036, as against Rs. 18,19,614, the amount in litigation in 1879.

3. Including 1,584 cases pending from the previous year, the total number of cases set down for hearing in 1880 was 36,888, of which 35,600 were disposed of during the year, and 1,288 were pending at its close. As in 1879, by far the largest class of suits consisted of claims for goods sold, the number of which amounted to 13,814, against 15,471 decided during that year, and 15,410 decided in 1878-79. The next largest class was that of suits on contract in writing, the number being 4,795. Suits for wages, work, and materials amounted to 4,709 in number, against 4,825 in 1879. The suits on contract not in writing amounted to 3,976, and those for rent not falling under the Rent Law to 3,727. The suits under the Rent Law amounted to 262, 6 of these relating to distraint and 256 being for ejectment or recovery of possession. Of suits "on account stated," there were 782; of suits for damages, 1,249; of suits relating to shipping, 84; of interpleader suits, 366; and of suits not separately distinguished, 1,836. There was a decrease of Rs. 11,336 in the amount of the distraints under the Distress Act of 1875, the number of distraints being 102 against 353 in 1879; the Judges consider this to be a good sign, as showing that landlords have not been obliged to have recourse to the more violent remedy allowed by the law, for the purpose of obtaining their rent.

4. The following statement shows the result of the suits of the past three years :—

How disposed of	1878-79.	1879.	1880
For plaintiffs after trial	8,841	8,175	5,441
Ditto *ex parte*	8,109	8,463	10,266
Compromised	13,700	13,534	13,062
Nonsuited	2,096	2,317	2,444
Dismissed after trial	1,423	1,338	1,304
Ditto in default of plaintiff	3,358	3,224	3,083
	Against plaintiff, 6,877	Against plaintiff, 6,879	Against plaintiff, 6,831
Total ...	37,527	37,051	35,600

The figures show that the results were slightly less favourable to plaintiffs than those of the two preceding years, the percentages of the cases in which the result was in favour of plaintiffs being as follow :—

1878-79	81·6
1879	81 4
1880	80 8

5. With reference to the proposed extension of the jurisdiction of the Court, the Judges point out that a larger building will, if effect be given to the proposal, be required for the purpose of carrying on the additional work which will be thrown upon the Court. The consideration of this question can well be postponed until after the Presidency Small Cause Courts Bill, which is now before the Government of India, has been passed.

6. The receipts during the year amounted to Rs. 2,36,439, and the expenditure to Rs. 1,64,533, leaving a net sum of Rs. 71,906 to be credited to the General Revenues, as compared with Rs. 73,619 in 1879, and Rs. 81,106 in 1878-79. It is observed, however, that in paragraph 7 of their report to the High Court, the Judges state that Rs. 71,908 is the amount which was credited to the Court after deducting all charges and expenses.

Order.—Ordered that a copy of this Resolution be communicated to the Judges of the Calcutta Court of Small Causes.

By order of the Lieutenant-Governor of Bengal,

HORACE A. COCKERELL,

Secretary to the Government of Bengal.

No. 1836J.

Copy forwarded to the Judges of the Calcutta Court of Small Causes for information.

By order of the Lieutenant-Governor of Bengal,

H. M. KISCH,

Under-Secy. to the Govt. of Bengal.

Calcutta,
The 27th April 1881.

C. E G —Reg. No. 524C—258—27 4-81.